NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No. 1365 of 2018

Hoshelal Tandon S/o S/o Heerala Tandon, Aged About 54 Years, R/o Om Nagar Jarhabhata Bilaspur, Near Anantkaruna H.Sec. School Bilaspur, Presently Posted And Working As Upper Division Teacher At Middle School Devargao, Block And Tahsil Gaurella District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary School Education Department, Mahanadi Bhawan, Mantralaya, New Raipur, Police Station Rakhi, Tahsil, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

2. Director, Directorate Public Instruction, Director, Office Of The Directorate Public Instruction Indravati Bhawan, New Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

3. District Education Officer Bilaspur, Office Of The District Education Officer Bilaspur, Tahsil And District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

4. Collector, Bilaspur, Office Of The Collector Bilaspur, Tahsil, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

5. Principal, Principal Of The Adarsh Anusuchit Jati Kanya Ashram, Devri Khurd, Block Bilha, Tahsil, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

6. Principal, Principal Of The Middle School Devargao, Block, Tahsil Gaurella, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

7. Smt. Swati Tigga, Assistant Teacher (Block Marwahi), Presently Posted At The Adarsh Anusuchit Jati Kanya Ashram, Devri Khurd, Block Bilha, Tahsil, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

8. Smt. Sheela Meshram, Assistant Teacher (Block Kota), Presently Posted At The Adarsh Anusuchit Jati Kanya Ashram, Devri Khurd, Block Bilha, Tahsil, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

9. Smt. Panch Kumari Bhaskar, Assistant Teacher, (Block Takhatpur) Presently Posted At The Adarsh Anusuchit Jati Kanya Ashram, Devri Khurd, Block Bilha, Tahsil, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

10. Smt. Geeta Bodra, Teacher Panchayat (Block Marwahi) Presently Posted At The Adarsh Anusuchit Jati Kanya Ashram, Devri Khurd, Block Bilha, Tahsil, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

11. Smt. Ragini Jha, Lecturer (Block Gorela) Presently Posted At The Adarsh Anusuchit Jati Kanya Ashram, Devri Khurd, Block Bilha, Tahsil, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

12. Kumari Raisha Bano, U.D.T. (Block Marwahi) Presently Posted At The Adarsh Anusuchit Jati Kanya Ashram, Devri Khurd, Block Bilha, Tahsil, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondents

For Petitioner : Mr. Somkant Verma, Advocate.
For Respondent No. 2 : Mr. Rajkumar Gupta, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

12/02/18

1. By order dated 06.07.2015 passed by respondent No. 3, the petitioner was directed to work in the Middle School, Baima against which he has made a representation before the Commissioner for redressal of his grievances and ultimately filed the writ petition. This Court by order dated 18.01.2018 passed in WPS No. 7197/2017 recorded that the petitioner's representation was rejected by order dated 19.05.2017 stating *inter-alia* that in the Middle School, Devri-Khurd there is no post vacant for the petitioner where the petitioner is willing to work, being aggrieved against which this writ petition has been preferred.

2. Learned counsel for the petitioner would submit that the action of the respondent authorities in rejecting the petitioner's representation is unsustainable and bad in law.

3. On the other hand, learned State counsel would oppose the submissions made by learned counsel for the petitioner and would support the order impugned.

4. The order dated 19.05.2017 clearly records that the in the Middle School, Devri-Khurd, against the sanctioned post of 4 teachers, 9 teachers are already working and, therefore, the petitioner cannot be given posting at the Middle School, Devri-Khurd.

5. In view of the above clear cut finding, I do not find any merit in the writ petition. The writ petition deserves to be and is accordingly dismissed. No order as to cost(s).

SD/-

(Sanjay K. Agrawal)

Judge

Priyanka